

### **REMARKS/ARGUMENTS**

The rejections presented in the Office Action dated June 11, 2008 (hereinafter Office Action) have been considered. Claims 1-18 remain pending in the application.

Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

The Applicant also notes that claims 1, 6-18 have been amended to eliminate descriptive language from its preamble, and was not amended for purposes relating to patentability. By removing this language, claims 1, 6-18 have clearly not been narrowed.

Claims 1-18 are rejected based on 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,955,298 to Herle (hereinafter “Herle”). Applicant respectfully disagrees with the Examiner’s characterization of Herle and the contention that Herle anticipates these claims. Applicant respectfully asserts that several features recited in claims 1-18 are not disclosed in Herle.

To anticipate a claim, the asserted reference must clearly and unequivocally disclose every element of the claimed invention. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim. All claim elements, and their limitations, must be found in the prior art reference to maintain a rejection based on 35 U.S.C. §102.

Independent claims 1, 6, 17 and 18 all express in some form optionally translating a Web Service request from a service requestor to a service provider into a first format. Independent claims 1, 17 and 18 also include the receipt of a Web Service response in that first format. Claim 6 describes a network access point coupled to receive a request and adapted to convert the request into a conventional format.

In the rejection of claims 1, 17, and 18, the Office Action refers to col. 3, line 61-col. 4 line 7 as well as col. 7, line 62-col. 8, line 3 of Herle as optionally translating the Web Service request into a first format and receiving a Web Service response in that first format. These excerpts of Herle were also relied upon to show converting the request as set forth in claim 6. At columns 3-4, Herle describes the transfer of data via a mobile switching center, and at columns 7-8 Herle describes HTML filtering by a proxy. Herle describes this process as

involving an HTTP proxy application program that requests access to a web page. Herle does not discuss, however, the translation by the proxy of a Web Service request into a first format or receiving a Web Service response in that first format.

Herle discloses the use of a proxy in order to access a web page, but fails to teach or suggest that this proxy is responsible translating the request from the terminal to a first format or translating the response from the service provider based on the first format of the translated request. Herle states that the request from the mobile station is relayed by the internet server in its role as a proxy server (Herle, col. 7, lines 65-67) in response to a standard request (e.g., “application program 272 notifies HTML filtering application of the URL, or other network address, of the web page being retrieved,” Herle, col. 7, lines 31-34). Therefore, Herle does not teach that the Web Service *request* is translated *at all*.

The Applicant respectfully asserts that the system described in Herle does not teach the translation of the Web Service request into a first format and the receipt of a Web Service response in that first format. Because Herle does not teach all of the elements of independent claims 1, 6, 17 and 18, these claims are not anticipated by Herle.

Independent claim 13 describes a mobile terminal with a messaging module that enables a message exchange with the network access point. The messaging module is adapted to instruct the network access point to convert the messages received from the mobile terminal to a format compatible with the service provider.

The Office Action references col. 7, line 62-col. 8, line 28 and col. 3, line 61-col. 4, line 7 of Herle. At these sections Herle describes an HTML filter process. Herle describes this process as involving an HTTP proxy application program that requests access to a web page. An HTML filtering application program then retrieves an HTML translation script program. This allows the HTML filtering application program to transform the Web page HTML data to pseudo-HTML data that can be viewed on the mobile station.

The Applicant respectfully asserts that Herle fails to show a messaging module within a mobile terminal that is adapted to instruct a network access point to convert messages received from a mobile terminal to a format compatible with a service provider. Herle teaches that the HTML filtering program translates HTML data sent *to a mobile device* into a format that the mobile device can use. However, Herle does not teach or suggest that the messages received

*from* the mobile terminal are translated at all. Therefore, Herle does not state that the messaging module instructs the network access point to translate messages into a format that the service provider can use. Because Herle does not teach all of the elements of independent claim 13 this claim is not anticipated by Herle.

With regard to claim 16, the Office Action states that it is rejected based on 35 U.S.C. §102(e) as being anticipated by Herle, but gives no specific reference as to where in Herle this claim is anticipated. As set forth in M.P.E.P. §707.07(d), the grounds of rejection are to be fully and clearly stated. It is respectfully submitted that the Examiner's listing does not fully and clearly indicate which portions of Herle are relied upon to teach the claim recitations. Nonetheless, Applicants note that claim 16 sets forth signalling a network access point to convert a Web Service request from a first format to a second format, and therefore claim 16 is allowable over Herle for similar reasons given above, e.g., regarding the rejection of claims 1, 6, 17, and 18.

Dependent claims 2-5, 7-12, and 14-15, which are dependent from independent claims 1, 6, and 13, respectively, were also rejected under 35 U.S.C. §102(e) as being unpatentable over Herle. While Applicant does not acquiesce with the particular rejections to these dependent claims, it is believed that these rejections are now moot in view of the remarks made in connection with independent claims 1, 6, and 13. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from the cited references. Therefore, dependent claims 2-5, 7-12, and 14-15 are also in condition for allowance.

Claims 10-12 are rejected based on 35 U.S.C. §103(a) as being unpatentable over Herle in view of U.S. Publication No. 2005/0064884 by Dumont et al. (hereinafter "Dumont"). Claims 10-12 are dependent from independent claim 6. It is believed that these rejections are now moot in view of the comments made with regard to independent claim 6. Dumont was not relied upon as providing a remedy to the deficiencies of Herle as it pertains to independent claim 6, nor does Dumont provide such a remedy. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from the cited references. Therefore, dependent claims 10-12 are also in condition for allowance.

Finally, Applicant notes the addition of dependent claims 19 and 20. These new claims are fully supported in the Specification as filed (e.g., p. 6, lines 21-24; p. 7, line 25 to p. 8, line 3; and p. 10, lines 12-18) and no new matter has been added. Consideration and allowance of claims 19 and 20 is respectfully solicited.

It is to be understood that the Applicant does not acquiesce to the Examiner's characterization of the asserted art or the Applicant's claimed subject matter, nor of the Examiner's application of the asserted art to the Applicant's claimed subject matter. Moreover, the Applicant does not acquiesce to any explicit or implicit statements or conclusions by the Examiner concerning what would have been known to one of ordinary skill in the art, what is Applicant's prior art, officially noticed facts, and the like. The Applicant respectfully submits that a detailed discussion of each of the Examiner's rejections beyond that provided above is not necessary, in view of the clear absence of teaching of various features recited in the Applicant's pending claims. The Applicant, however, reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (NOKM.084PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted

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